

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 1:18-cv-10819

DONNA GAVIN,
Plaintiff,

v.

BOSTON POLICE DEPARTMENT and
MARK HAYES,
Defendants.

**DEFENDANT, MARK HAYES' NOTICE OF REMOVAL OF ACTION FROM
STATE COURT**

Pursuant to 28 U.S.C. §1441(c) and 1446, the Defendant, Mark Hayes, petitions for removal of this action to the United States District Court for the District of Massachusetts. As grounds therefore, the Defendant states as follows:

1. On or about April 5, 2018, the Plaintiff filed this suit in the Norfolk Superior Court, Civil Action No.: 1882CV00348.
2. On April 18, 2018, the Plaintiff's complaint was served upon Defendant Hayes, through his counsel. Attached as Exhibit A is a copy of the Plaintiff's complaint and summons which was served upon Defendant Hayes.
3. This Court has original jurisdiction of this action because the Plaintiff brings claims under Title VII (42 U.S.C. §2000e et seq.) alleging gender discrimination and retaliation.

4. Because this matter is an action arising under federal law of which this Court has original jurisdiction, as authorized by 28 U.S.C. §1331, it is subject to removal under 28 U.S.C. §1441(c).

5. This Notice of Removal is being filed within the time period required by law, 28 U.S.C. §1446(b).

Respectfully submitted,

Defendant,
MARK HAYES,
By his attorney,

/s/ Evan C. Ouellette

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DATED: April 27, 2018

CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent to those participants indicated as non-registered participants.

/s/ Evan C. Ouellette

Evan C. Ouellette, BBO# 655934

DATED: April 27, 2018